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GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Notification

7/11/2014-LA

The Goa Public Moneys (Recovery of Dues) (Amendment) Act, 2014 (Goa Act 17 of 2014), which has been passed by the Legislative Assembly of Goa on 20-08-2014 and assented to by the Governor of Goa on 22-09-2014, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 24th September, 2014.

The Goa Public Moneys (Recovery of Dues) (Amendment) Act, 2014

(Goa Act 17 of 2014) [22-9-2014]

AN

ACT

further to amend the Goa, Daman and Diu Public Moneys (Recovery of Dues) Act, 1986 (Act No. 10 of 1987).

Be it enacted by the Legislative Assembly of Goa in the Sixty-fifth Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Public Moneys (Recovery of Dues) (Amendment) Act, 2014.

(2) It shall come into force at once.

2. *Amendment of long title.*— In the Goa, Daman and Diu Public Moneys (Recovery of Dues) Act, 1986 (Act No. 10 of 1987) (hereinafter referred to as the “principal Act”), in the long title, the expression

“, Daman and Diu” shall be omitted.

3. *Amendment of section 1.*— In the principal Act,—

(i) in sub-section (1) of section 1 and in any other sections, the expression

“, Daman and Diu” shall be omitted;

(ii) in sub-section (2), for the expression “Union territory of Goa, Daman and Diu”, the expression “State of Goa” shall be substituted.

4. *Amendment of section 2.*— In section 2 of the principal Act, in clause (c), for the words “Union territory”, the word “State” shall be substituted.

5. *Amendment of section 3.*— In section 3 of the principal Act,—

(i) in sub-section (1), after clause (d), the following clause shall be inserted, namely:—

“(e) to any agreement or contract of guarantee/surety pertaining to the loan or advance or financial assistance referred in this sub-section”;

(ii) after sub-section (4), the following sub-section shall be inserted, namely:—

“(5).— No borrower/defaulters/ guarantor/surety shall, after receipt of a notice for recovery of sum due from the Collector, transfer by way of sale, lease or otherwise any of his/its secured/ unsecured assets without written consent/order of the Collector.”

6. *Insertion of new section, 5A.*— After section 5 of the principal Act, the following new section shall be inserted, namely:—

“5A. *Provisions of section 3 to apply for all past dues.*— On and from the date of commencement of the Goa Public Moneys (Recovery of Dues) (Amendment) Act, 2014, the sum due pertaining to any agreement/ contract, referred in sub-section (1) of section 3 of this Act, executed before such commencement, also may be recovered as per the procedure laid down in section 3 of this Act, on such commencement.”

Secretariat,
Porvorim-Goa.
Dated: 24-09-2014.

R. K. SRIVASTAVA,
Secretary to the
Government of Goa,
Law Dept. (Legal Affairs).

Notification

7/9/2014-LA

The Goa Transfer and Posting of Officers Act, 2014 (Goa Act 16 of 2014), which has been passed by the Legislative Assembly of Goa on 20-08-2014 and assented to by the Governor of Goa on 19-09-2014, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).
Porvorim, 24th September, 2014.

The Goa Transfer and Posting of Officers Act, 2014

(Goa Act 16 of 2014) [19-9-2014]

AN

ACT

to provide for the constitution of the Goa Services Board and for the matters connected therewith.

Be it enacted by the Legislative Assembly of Goa in the Sixty-fifth Year of the Republic of India, as follows:—

1. *Short title, extent and commencement.*—

(1) This Act may be called the Goa Transfer and Posting of Officers Act, 2014.

(2) It extends to the whole of the State of Goa.

(3) It shall come into force at once.

2. *Definitions.*— In this Act, unless the context otherwise requires,—

(a) “Board” means the Goa Services Board constituted under section 3 of this Act;

(b) “Chairperson” means the Chairperson of the Board;

(c) “Competent Authority” means the Chief Minister of the State of Goa;

(d) “Government” means the Government of Goa;

(e) “member” means a member of the Board;

(f) “Official Gazette” means the Official Gazette of the Government.

3. *Constitution of Board.*— (1) The Government shall, by notification in the Official Gazette, constitute a Goa Services Board.

(2) The Board shall consist of,—

(a) the Minister incharge of the Department of Personnel, who shall be the Chairperson thereof;

(b) Chief Secretary;

(c) an officer not below the rank of Secretary to the Government to be nominated by the Government.

4. *Functions of the Board.*— (1) The Board shall,—

(a) consider and recommend the transfer and posting of officers of Goa Civil Service, Goa Police Service and officers in the cadre of Mamlatdars/Joint Mamlatdars/Assistant Directors of Civil Supplies and Block Development Officers, at regular intervals;

(b) consider and recommend the posting of such officers in ex-cadre posts, their transfer from one Department to another, or their transfer in the service of the Government;

(c) do such other things and perform such acts as necessary or expedient for the proper conduct of its functions, and carrying into effect the purposes of this Act.

(2) Notwithstanding anything contained in any other law for the time being in force or any rules made under the proviso to Article 309 of the Constitution of India, the Government may, on its own motion and for reasons to be recorded in writing, order transfer of such officer, from one post or Department to another and even outside the Cadre; wherever administrative exigencies so require the same:

Provided that, those officers who have service not exceeding one year remaining before superannuation, shall normally not be transferred.

5. *Competent Authority.*— The recommendations of the Board shall be placed before the Competent Authority and the decision of

the Competent Authority in this regard, shall be final and binding.

6. *Tenure of posting.*— (1) The minimum tenure of posting of officers in one post shall ordinarily be two years.

(2) The tenure of officers posted on deputation to ex-cadre posts shall be maximum of three years, but which may be extended for a further period of one year, in public interest:

Provided that the officers may be transferred or deputation period may be curtailed, as the case may be, before completion of tenure, in public interest, by recording the reasons in writing.

7. *The Meetings of the Board.*— (1) The Board shall meet at regular intervals, at such times and places or through circulation, as determined by the Chairperson.

(2) The Chief Secretary shall convene meetings as directed by the Chairperson of the Board.

8. *Power to make rules.*— The Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

Secretariat,
Porvorim-Goa.
Dated: 24-09-2014.

R. K. SRIVASTAVA,
Secretary to the
Government of Goa,
Law Dept. (Legal Affairs).

Notification

7/13/2014-LA

The Goa Non-Biodegradable Garbage (Control) (Third Amendment) Act, 2014 (Goa Act 18 of 2014), which has been passed by the Legislative Assembly of Goa on 20-08-2014 and assented to by the Governor of Goa on 22-09-2014, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).
Porvorim, 24th September, 2014.

The Goa Non-Biodegradable Garbage
(Control) (Third Amendment) Act, 2014

(Goa Act 18 of 2014) [22-9-2014]

AN

ACT

further to amend the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act No. 5 of 1997).

Be it enacted by the Legislative Assembly of Goa in the Sixty- fifth Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Non-Biodegradable Garbage (Control) (Third Amendment) Act, 2014.

(2) It shall come into force at once.

2. *Amendment of section 2.*— In section 2 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act No. 5 of 1997) (hereinafter referred to as the “principal Act”),—

(a) in clause (c), for the words “a Municipal Council”, the expression “a Municipal Corporation, a Municipal Council” shall be substituted;

(b) in clause (f),—

(i) in sub-clause (iii), the word “and” shall be omitted;

(ii) in sub-clause (iv), the word “and” shall be inserted at the end;

(iii) after sub-clause (iv), the following sub-clause shall be inserted, namely:—

“(v) any person who is in charge of any place owned by the Central or State Government, Government Company or Corporation, or any place where exhibitions and other events are organized;”.

3. *Substitution of section 5.*— For section 5 of the principal Act, the following section shall be substituted, namely:—

“5. *Duty of owner and occupier to collect, segregate and store non-biodegradable garbage etc.*— It shall be the duty of the owner and occupier to collect and segregate the non-biodegradable garbage generated within their place and store securely until it is handed over to the local authority.”.

4. *Insertion of new section 5A.*— After section 5 of the principal Act, the following section shall be inserted, namely:—

5A. *Penalty for contravening provision of section 5.*— (1) Whoever contravenes any of the provisions of section 5 of this Act shall be punishable with:—

(a) a fine of Rs. 200/- for first offence, Rs. 500/- for the second offence, and Rs. 5000/- or with imprisonment which may extend to one month or with both, for every subsequent offence, when the offence is in relation to a residential house;

(b) a fine of Rs. 2000/- for first offence, Rs. 5000/- for the second offence, and Rs. 25000/- or with imprisonment for a term which may extend to six months or with both, for every subsequent offence, when the offence is in relation to a commercial establishment.”.

5. *Amendment of section 8.*— In section 8 of the principal Act, in sub-section (1), for the expression “Whoever is guilty of any Act”, the expression “Save as provided in section 5A of this Act, whoever is guilty of any act” shall be substituted.

Secretariat,
Porvorim-Goa.
Dated: 24-09-2014.

R. K. SRIVASTAVA,
Secretary to the
Government of Goa,
Law Dept. (Legal Affairs).

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